

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CIVIL ACTION NUMBER: 1:20-cv-429

MICHAEL P. BOLAND,)
)
)
Plaintiff,)
)
v.)
)
ROYAL HERITAGE HOME, LLC,)
)
)
)
Defendant.)

CERTIFICATION AND JOINT RULE
26(f) REPORT

1. **Certification of Conference.** Pursuant to Fed.R.Civ.P. 26(f) and LR16.1(b) a telephone conference was held on October 6, 2020 at 2:00 p.m. and was attended by Roberta King Latham for Plaintiff, and Lisa Arthur for Defendant.
2. **Pre-Discovery Disclosures.** The information required by Fed. R. Civ. P. 26(a)(1) will be exchanged by Nov. 15, 2020.
3. **Discovery Plan.** The parties propose to the Court the following discovery plan:
 - a) Discovery Limits:
 - 1) Maximum of 30 interrogatories by each party to any other party.
 - 2) Maximum of 30 requests for admission by each party to any other party.
 - The parties do not anticipate retaining experts in this case.
 - b) If there is a pending dispositive motion: Discovery should not be postponed or limited pending determination of a pending dispositive motion.
 - c) Discovery will commence upon the entry of the Rule 26(f) order.

d) Discovery will be needed on the following subjects: monies and commissions owed to plaintiff, and any other matters pertaining to the matters alleged in the parties' pleadings.

e) Discovery shall be placed on a case-management track established in LR 26.1. Pursuant to LR 26.1(a) the parties have discussed and decided that there is no reason to delay commencement of discovery. The parties agree that the appropriate plan for this case (with any stipulated modification by the parties set in part (a) above) is that designated in LR 26.1(a) as: Complex.

f) The date for the completion of all discovery (general and expert) is April 1, 2021.

g) The stipulated modifications to the case management track are included in section (a) above.

h) Reports required by the Rule 26(a)(2)(B) and disclosures required by Rule 26(a)(2)(C) are due during the discovery period:

- 1) From Plaintiff by February 1, 2021.
- 2) From Defendant by March 1, 2021.

Supplementations will be as provided in Rule 26(e) or as otherwise ordered by the court. Any draft reports prepared by retained experts shall be treated as work product and subject to protection from discovery as such; only final reports from retained experts must be provided.

i) The parties agree that all electronically stored information subject to discovery will be stored in its original format and will be produced in same.

4. **Mediator.** Mediation will be held midway in the discovery period, the exact date to be set by the mediator after consultation with the parties. The parties agree that the mediator shall be Ken Carlson.
5. **Preliminary Deposition Schedule.** The parties agree to confer and to schedule depositions on mutually agreeable dates during the discovery period.
6. **Other items.**
 - a) Plaintiff should be allowed until February 1, 2021 to request leave to join additional parties or amend pleadings.
 - b) Defendant should be allowed until February 1, 2021 to request leave to join additional parties or amend pleadings.

After these dates, the Court will consider, *inter alia*, whether the granting of leave would delay trial.
 - c) The parties have discussed special procedures for managing this case, including reference of the case to a magistrate judge on consent of the parties under 29 U.S.C. § 636(c), or appointment of a master. The parties do not consent to such referral or appointment.
 - d) Dispositive motions shall be filed no later than thirty (30) days after the close of discovery.
 - e) The trial of the action is expected to take approximately 4 days. A Jury trial has been demanded.

Respectfully Submitted this 8th day of October, 2020.

/s/ Roberta King Latham

Roberta King Latham (NC Bar No. 30717)
Attorney for Plaintiff
King Latham Law, PLLC
615 St. George Square Court, Suite 300
Winston-Salem, NC 27103
Phone: (336) 419-1151
Fax: (336) 770-2803
roberta@kinglatham.com

/s/ Marc J. Gross

/s/ Lisa Arthur
Marc J. Gross
Lisa Arthur (NC Bar No. 44184)
Attorney for Defendant
FOX ROTHSCHILD LLP
230 N. Elm Street, Suite 1200
Greensboro, NC 27401
Phone: (336) 378-5200
Fax: (336) 378-5400
mgross@foxrothschild.com
Lisa.Arthur@foxrothschild.com